

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
SOUTHWESTERN DIVISION**

United States of America,)
 Plaintiff,)
vs.) Case No. 06-5037-02-CR-W-FJG
Ramon Hernandez-Pacheco,)
 Defendant.)

ORDER

Pending before the Court is defendant's motion to suppress evidence and statements (Doc. #37), filed January 19, 2007, suggestions in support (Doc. #42), filed March 16, 2007, and the government's response (Doc. #43), filed March 19, 2007.

On April 11, Chief United States James C. England held an evidentiary hearing on the pending motion to suppress. Thereafter, on May 2, 2007, Chief Magistrate England entered a report and recommendation (Doc. #48) which recommended denying the above-mentioned motion. Objections to the report and recommendation were filed by defendant on May 20, 2007 (Doc. #49).

The Court, after independent review of the record and applicable law, adopts and incorporates by reference herein, the magistrate's findings and conclusions. Therefore, the Court finds that defendant's motion to suppress evidence and statements (Doc. #37), filed January 19, 2007, must be denied.

Accordingly, it is

ORDERED that the Chief Magistrate's findings and conclusions are hereby adopted and incorporated herein by reference. It is further

ORDERED that defendant's motion to suppress evidence and statements (Doc. #39), filed January 19, 2007, is denied.

/s/Fernando J. Gaitan, Jr.
Judge Fernando J. Gaitan, Jr.
Chief United States District Judge

Dated: 6/1/07
Kansas City, Missouri